

Liber N N Afterwards to wit the six and twentieth day of the same November it is the judgment of the Court here that for want of pleading the def^t accompt and that M^r Christopher Rousby and M^r Thomas Dent be armed with a cōmission to examine wittnesses upon Oath and to state & audite the accompts betweene the said parties upon the tenth day of January next & report thereof make here the next Provinciaall Court.

Att which Said next Provinciaall Court to witt the ninth day of ffebruary in the yeare aforesaid the said Christopher Rousby and Thomas Dent made no report thereupon But the aforesaid Christopher Rousby and Gerard Slye Gent being by ord^r of this Court armed with a Cōmission to examine wittnesses upon Oath and to state & audite the accompts betweene the said parties and to make report here to witt at s^t Johns the twelfth day of ffebruary in the yeare aforesaid doe report as followeth vizt In Obedience to a writ under the seale of this Court hereunto annexed beareing date the ninth day of ffebruary instant empowering Us to audite the accompt betweene John Quigley plaintiff and Ralph Blackhall defendant & to state the same & returne Our report to this Hon^{ble} Court the twelfth instant Wee doe humbly certifie.

That Wee have perused and examined aswell the accompt & charge of the said p^{lt} as also the accompts of the said def^t which we have stated & hereunto annexed and upon the whole matter We doe find that the said Ralph Blackhall the defend^t is upon the ballance of accompts indebted unto the said John Quigley the summe of ninty foure thousand six hundred & six pounds of tobacco.

That the said Ralph Blackhall hath produced unto Us Sundry bills of severall persons taken in the name of the said John Quigley which bills we have herewith returned to your Hon^{rs} amounting in all to fiftene thousand nine hundred thirty & One pounds of tobacco which he the said defendant craves to have allowed out of the Said ballance But in regard the said defendant hath not produced witnes before Us to prove that the said bills & every or any of them are the true & proper bills of the respective persons named therein Wee doe therefore humbly reserve it to the judgment of this Hon^{ble} Court whether the same shall be allowed to be discompted by the said defendant he not haveing produced to Us the accompts of the particular Sales of goods to Severall of the said persons mentioned in the said bills alleadging that his booke is torne and defaced So as he is not able to doe it.

But in case your hon^{rs} doe thinke fitt to allow the aforesaid bills to be discompted Out of the aforesaid ballance then the remainder doe to the Said Quigley will be Seventy Eight thousand six hundred Seventy five pounds of tobacco

All which Wee humbly Submitt to judgment.

Chr : Rousby
Gerard Slye.